

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2158 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE A.L.DAVE

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1. Whether Reporters of Local Papers may be allowed : NO  
to see the judgements?
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy : NO  
of the judgement?
4. Whether this case involves a substantial question : NO  
of law as to the interpretation of the Constitution  
of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge? : NO

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DURGABEN @ BACHCHI W/O SUBHASHMARATHA

Versus

COMMISSIONER OF POLICE

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Appearance:

MS DR KACHHAVAH for Petitioner

MR HH PATEL, AGP, for Respondent No. 1, 2, 3

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CORAM : MR.JUSTICE A.L.DAVE

Date of decision: 26/11/1999

ORAL JUDGEMENT

1. The petitioner came to be detained by an order passed by the Commissioner of Police, Ahmedabad city, Ahmedabad, dated 24th February 1999 in exercise of powers u/s 3[1] of the Gujarat Prevention of Anti Social Activities Act, 1985 [hereinafter referred to as 'the PASA Act' for short] on the ground that the petitioner is a bootlegger. That his activities have resulted into disruption of public order and the detention under the

PASA Act is the only remedy which can be resorted to immediately preventing the petitioner from pursuing his illegal and anti social activities.

2. The petitioner has approached this Court with the petition under Article 226 of the Constitution of India challenging the order of detention on various grounds.

3. Heard Ms. Kachhwah, learned advocate for the petitioner and Mr. H.H.Patel, learned AGP for respondents.

4. Mr. Patel, at the outset, submitted that the order of detention has been revoked by the State Government on 16th April 1999. The petition has therefore become infructuous and the same deserves to be dismissed.

5. Accordingly, the petition is dismissed as having become infructuous. Rule discharged. No costs.

[ A.L.DAVE, J. ]

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